

STUDENT CODE OF CONDUCT POLICY

Approving authority	Academic Board
Purpose	This policy outlines the values and conduct expected of all students.
Responsible Officer	Academic Dean and Head of Marketing and Student Experience
Next scheduled review	September 2026
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	<p>Academic Appeals Policy and Procedure</p> <p>Academic Integrity Policy and Procedure</p> <p>Academic Progress Policy and Procedure</p> <p>Anti-Bullying and Harassment Policy and Procedure</p> <p>Anti-Discrimination Policy and Procedure</p> <p>Completion within Expected Duration of Study Policy and Procedure</p> <p>Deferring, Suspending or Cancelling a Student’s Enrolment Policy and Procedure</p> <p>Diversity and Equity Policy and Procedure</p> <p>Occupational Health and Safety Policy</p> <p>Privacy Policy and Procedure</p> <p>Records management Policy and Procedure</p> <p>Sexual Assault and Sexual Harassment Policy and Procedure</p> <p>Social Media Policy and Procedure (Students)</p> <p>Student Grievances and Appeals Policy and Procedure</p> <p>Student Support and Services Policy and Procedure</p> <p>Use of Information Technology Facilities and Services Policy and Procedure (Students)</p> <p>Younger Students Policy and Procedure</p> <p>Student Code of Conduct Procedure</p>

1. PRINCIPLES

The ***Student Code of Conduct Policy and Procedure (Student Code of Conduct)*** provides the framework and clarifies the standards of conduct that are expected of students at Ozford Institute of Higher Education (henceforth ‘the Institute’). The four basic principles that underpin the Student Code of Conduct are:

- **Fairness** - The Institute will ensure that student discipline procedures are transparent, consistent, equitable and fair, and consistent with the principles of natural justice;
- **Accountability** - The Institute will identify and specify responsibilities and accountabilities for decisions and processes in the resolution of any behavioural issue(s);
- **Appropriateness** - The Institute will define a framework of penalties which may be imposed for substantiated misconduct that is appropriate, proportionate and consistent.
- **Communication** - The ***Student Code of Conduct Policy and Procedure*** will be communicated clearly to the students and the manner of resolution of any breach by any person will be consistent throughout.

The Student Code of Conduct does not cover all situations; it articulates the expectations and aspiration of the Institute in relation to student conduct, including strategies to address inappropriate conduct.

The Student Code of Conduct is developed as a basis for providing:

- a positive support to promote high standards of achievement and conduct; and
- articulation of responses and consequences for inappropriate conduct.

2. SCOPE

The Student Code of Conduct Policy and Procedure (*Student Code of Conduct*) applies to all current and prospective students.

This Student Code of Conduct applies in all Institute environments not only on campus but also , off campus while commuting to and from or participating in the Institute initiated activities or online using the Institute facilities or in communications or activities involving other students and/or staff of the Institute.

3. DEFINITIONS

Expulsion

Expulsion is the process of terminating a student enrolment ie. excluding the student from the Institute in which he or she is expelled.

General Misconduct

General misconduct is where a student acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements (e.g. non-payment of fees); misuses, damages or steals Institute's property or the property of others; alters/defaces the Institute documents or records; prejudices the good name of the Institute, or otherwise acts in an improper manner.

Institute Environments

Institute environments means any physical or virtual place made available by the Institute for use by a child for teaching, learning or Institute activities, including:

- the campus;
- Online learning environments; and
- Other physical environments where the Institute operates or conducts activities.

Physical environments

Physical environments are the physical places where the Institute operates or conducts activities, such as a building, facility or space and includes physical environments operated by third parties.

Online environments

Online environments are any technological platforms which the Institute uses or controls, such as computers, phones, websites, intranet, social media and video conference facilities regardless of where such platforms may be accessed by students.

Severe misconduct

Severe misconduct includes but not limited to

- acts dishonestly in relation to admission to the Institute;
- knowingly makes any false or misleading representation about things that concern the student as a student of the Institute or breaches any Institute :Policies or Procedures;
- harasses or intimidates another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the Institute premises while acting as an Institute student, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
- steals, destroys, or damages a facility or property of the Institute or for which the Institute is responsible

Suspension

Suspension is a disciplinary measure that involves temporary removal of a student from the Institute's approved activities for a specified period of time. Students will be allowed to return to the Institute approved activity after the suspension period has ended.

4. POLICY

Prevention, Training and Awareness

- 4.1. The Institute is committed to providing an environment to maximise educational opportunities to generate the best outcome for all students.
- 4.2. This Student Code of Conduct Policy and the associated Procedure sets out the behavioural standards expected of students.
- 4.3. The Institute acknowledges that education and awareness are important aspects of prevention and commits to actively informing and training students and staff in preventing, reporting and responding to breaches in the Student Code of Conduct.
- 4.4. The Student Code of Conduct will be promoted to staff and students and made accessible.
- 4.5. The Student Code of Conduct will be managed supportively to achieve a positive learning environment for the benefit of all parties. All staff will be required to use a positive reinforcement and restorative approach.
- 4.6. The Institute has zero tolerance for any form of abuse, assault, violence, bullying, harassment or discrimination. All such behaviour is unacceptable and will not be tolerated at the Institute.

Breaches of the Code of Conduct

- 4.7. The Institute encourages everyone to seek advice and support when they feel they have been experienced or witnessed concerning behaviour. The Institute has policies and procedures for the effective resolution of complaints, including how to make a report of concerning behaviour.
- 4.8. The Institute will provide confidential assistance to students affected by a breach of the Student Code of Conduct in the form of wellbeing support and professional counselling.
- 4.9. Any breach of the Student Code of Conduct will be seen as a serious matter and will be investigated in a timely manner. Allegations will be investigated in accordance with the procedures. Where necessary, a formal investigation will be undertaken.
- 4.10. In ensuring that fairness is exercised throughout the process of implementation of disciplinary action, the Institute will take into consideration the following:
- the nature of the behaviour;
 - the student's age;
 - the circumstances surrounding the inappropriate conduct;
 - the interest, health, safety and wellbeing of the student(s);
 - the impact on the student's engagement;
 - a duty of care to the student(s); and
 - the family circumstances of the student(s).
- 4.11. Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misbehaviour will be penalised more leniently than subsequent instances of misbehaviour. The Institute will implement that address the cause(s) giving rise to the incidents including:
- an initial verbal warning;
 - temporary restrictions to access to specific facilities or services;
 - written warning(s);
 - a financial penalty in accordance to the student's acceptance agreement;
 - requiring the student to pay for the cost of any damage;
 - time limited suspension of enrolment;
 - suspension and/or possible expulsion for a period of time from the Institute; or
 - cancellation of enrolment, a permanent expulsion, and a possible referral to the relevant authority or authorities in the event that the conduct constitutes a serious breach of the legislation.
- 4.12. In some cases where the student's misconduct is severe and his or her continued presence on the campus is seen to be a threat to the safety other students and/or staff and/or the Institute facilities, the Institute's Executive Management Team has the right to cancel the student's enrolment. Students will be notified via phone call and /or written notification in cases of serious discipline actions being taken such as suspension and expulsion.
- 4.13. The ***Deferring, Suspending or Cancelling a Student's Enrolment Policy and Procedure*** sets out the process for suspending or cancelling a student enrolment.

4.14. Students may appeal to the Institute against the penalties imposed. Students wishing to appeal will be referred to the Institute's *Student Grievances and Appeals Policy and Procedure*.

Reporting and Monitoring

4.15. The Institute keeps all records of all incidents involving students as set out in the *Records Management Policy and Procedure*.

4.16. The Institute ensures that all incident data is kept confidentially as set out in the *Privacy Policy and Procedure*, and incident data is reported to the EMT, Audit and Risk Committee, Academic Board and Governing Board to monitor the prevalence of misconduct in connection with the Institute.

4.17. Any suggested improvement required to enhance the campus safety will be discussed and implemented as appropriate.

5. STUDENT CODE OF CONDUCT

All students are required to conduct their duties and act in a manner that promotes a safe, positive, productive and harmonious learning environment, act ethically and responsibly, and be accountable for their actions and decisions.

All students have a responsibility to comply with legislation, terms and conditions of their enrolment, the Institute policy and procedures, and this Code of Conduct.

5.1 Alcohol and Drugs

The Institute is an alcohol and drug free establishment. The consumption and or possession of alcohol and illegal drugs are strictly prohibited.

5.2 Violence

Any form of assault/violence is prohibited and considered a serious misconduct. The reference to assault/violence includes not only physical behaviour but oral, written, electronic, online, sexual and/or behaviour of a racial nature. Any such conduct between students and/or with staff is not acceptable and will be subject to disciplinary action.

The possession or threat of possession of knives, weapons or objects that can be used as a weapon at the Institute is strictly prohibited and may constitute a criminal activity and be reported accordingly.

5.3 Bullying and Harassment

Bullying is a repeated unreasonable behaviour directed toward another person/student, or a group of students, or staff member, that creates a risk to health and safety.

Cyberbullying is bullying that is done by means of technology - for example, using the internet or a mobile phone to hurt, harass or embarrass someone.

Harassment is a type of discrimination and can take many forms. It may involve inappropriate actions, behaviour, comments or physical contact that is objectionable or cause offence. Harassment may be seen to have occurred if the behaviour makes the victim feel offended and humiliated; intimidated or frightened; or uncomfortable.

Sexual harassment arises when a person makes an undesirable sexual advance or an undesirable request for sexual favours, directed at another person, or in the presence of another person, or engages in any other undesirable conduct of a sexual nature in relation to another person.

Any form of bullying or harassment, physical, verbal or online, in all Institute environments is strictly prohibited.

5.4 Discrimination

Discrimination exists if and when a person or a group of people, is/are being treated less satisfactorily than another person and/group because of race, colour, physical features, nationality or ethnic origin, sex, pregnancy or marital status, age, disability, religion, sexual preference, gender identity, employment activity, industrial activities or any other characteristics specified under the Anti-Discrimination or Human Rights legislation. Discrimination and harassment in all Institute environments is strictly prohibited and will be subject to disciplinary action.

5.5 General Misconduct

General misconduct is where a student acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements (e.g. non-payment of fees); misuses, damages or steals Institute's property or the property of others; alters/defaces the Institute documents or records; prejudices the good name of the Institute, or otherwise acts in an improper manner.

The following examples indicate the kinds of general misconduct which constitute student general misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct occurs when a student:

- contravenes any rules or acts;
- prejudices the good name or reputation of the Institute;
- prejudices the good order and governance of the Institute or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the Institute;
- fails to comply with conditions agreed in the contract;
- fails to comply with the overseas student visa conditions;
- wilfully disobeys or disregards any lawful order or direction from the Institute personnel;
- refuses to identify him or herself when lawfully asked to do so by a staff member of the Institute;
- fails to comply with any penalty imposed for breach of conduct;
- misbehaves in a class, meeting or other activity under the control or supervision of the Institute, or on Institute premises or other premises to which the student has access as a student of the Institute;
- obstructs any member of staff in the performance of their duties;
- acts dishonestly in relation to admission to the Institute;
- knowingly makes any false or misleading representation about things that concern the student as a student of the Institute or breaches any of the Institute rules;
- alters any documents or records;

- harasses or intimidates another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- breaches any confidence of the Institute;
- Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the Institute premises while acting as an Institute student, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
- steals, destroys or damages a facility or property of the Institute or for which the Institute is responsible

See also: *Occupational Health and Safety Policy*.

5.6 Academic Misconduct

The Institute is committed to promoting academic integrity among students and staff and ensuring all assessment of student learning is undertaken in accord with the highest levels of academic integrity. Matters relating to Academic Misconduct is covered in the *Academic Integrity Policy and Procedure*.

5.7 Promotion of Code of Conduct

The Code of Conduct will be explained to students during orientation and be made available to students in the Student handbook.

5.8 Code of Conduct Implementation

The Code of Conduct is implemented throughout the Institute using a positive reinforcement and restorative approach. Any staff member with reasonable grounds to believe that a student has committed misconduct can address the students' conduct so that it does not recur.

Matters are required to be reported to the Academic Dean if staff members have reasonable ground to believe that extra support and interventions are required to address the students' misconduct.

Where an allegation of misconduct is made against a student, an investigation of the matter will commence in accordance with the Institute's *Student Grievances and Appeals Policy and Procedure*.

During this process the Institute will ensure;

- The student is treated fairly, with dignity and with due regard to his or her privacy and with due regard for natural justice.
- Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misbehaviour will be penalised more leniently than subsequent instances of misbehaviour.

5.9 Disciplinary Measures

Students may be subject to disciplinary measures if the allegation is verified and upheld.

In ensuring that fairness is exercised throughout the process of implementation of disciplinary action, the staff member should take into consideration the following:

- the nature of the behaviour;
- the student's age;
- the circumstances surrounding the inappropriate conduct;
- the interest, health, safety and wellbeing of the student(s);
- the impact on the student's engagement;
- a duty of care to the student(s); and
- the family circumstances of the student(s).

5.10 Penalties

Penalties that can be imposed include

- an initial verbal warning;
- temporary restrictions to access to specific facilities or services;
- written warning(s);
- a financial penalty in accordance to students acceptance agreement;
- requiring the student to pay for the cost of any damage;
- time limited suspension of enrolment;
- suspension and/or possible expulsion for a period of time from the Institute; or
- a permanent expulsion and a possible referral to the relevant authority or authorities in the event that the conduct constitutes a serious breach of the legislation.

Suspension is a serious disciplinary action and as such should only be utilised in the event that other disciplinary measures have failed to result in a satisfactory outcome.

Expulsion is a severe form of sanction and should be exercised only in the most serious circumstances.

Students may appeal to the Institute against the penalties imposed. Students wishing to appeal will be referred to the Institute's ***Student Grievances and Appeals Policy and Procedure***.

5.11 Exceptional circumstances

In some cases where the student's misconduct is severe and his or her continued presence on the campus is seen to be a threat to the safety other students and/or staff and/or the Institute facilities, the Institute's Executive Management Team has the right to cancel the student's enrolment.

Severe misconduct includes but not limited to:

- Harasses or intimidates another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;

- Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the Institute premises while acting as an Institute student, in a manner which is illegal or which is or will be detrimental to the rights or property of others;
- Steals, destroys or damages a facility or property of the Institute or for which the Institute is responsible.

The Institute also reserves the right to cancel an enrolment where the student or the student's representative (ie. education agent):

- acts dishonestly in relation to admission to the Institute; or
- knowingly makes any false or misleading representation about things that concern the student as a student of the Institute or breaches any of Institute rules

Students will be notified via phone call and /or written notification in cases of serious discipline actions being taken such as suspension and expulsion. An accurate record is kept with respect to any inappropriate behaviour, disciplinary actions taken and resolutions on the student management system.

Students may appeal to the Institute against the penalties imposed. Students wishing to appeal will be referred to the Institute's *Student Grievances and Appeals Policy and Procedure*.

6. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meet the requirements of the HES Threshold Standards the policy will be;

- 6.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 6.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 6.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier);
- 6.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

7. FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officers of the Institute.

8. ACKNOWLEDGEMENT

This policy was developed with reference to the following:

- Deakin University, Student Misconduct Procedure, 2021 ([Student Misconduct procedure / Document / Deakin Policy Library](#))

- Federation University, Student Misconduct Procedure, 2023 ([Student Misconduct Procedure \(federation.edu.au\)](http://federation.edu.au))
- Victoria University, Student Misconduct Procedure, 2019 ([Student Misconduct Procedure / Document / Victoria University Policy Library \(vu.edu.au\)](#))
- University of NSW, Student Misconduct Procedure, 2023 ([Student Misconduct Procedure \(unsw.edu.au\)](http://unsw.edu.au))

9. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	March 2016	Initial issue	AB
2.0	August 2018	Internal review	AB
3.0	June 2023	Internal Review	AB
3.1	September 2023	Internal review – minor formatting changes and add external referencing	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standards 5, 6, 8, 9 and 10 Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Disability Standards for Education 2005 (Cth) Australian Human Rights Commission Act 1986 (Cth) Workplace Gender Equality Act 2012 (Cth) Age Discrimination Act 2004 (Cth) Fair Work Act 2009 (Clth) Victorian Legislation Equal Opportunity Act 2010 Racial and Religious Tolerance Act 2001 (VIC) Spent Convictions Act 2021		

Notes:

AB = Academic Board

EMT = Executive Management Team